



NEWARK UNIFIED SCHOOL DISTRICT

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To Our Visitors:

Addressing the Board

- Each speaker wishing to address the Board is asked to fill out a speaker card.
- Speaker cards are available at the meeting on the back table and must be submitted to the Executive Assistant prior to the beginning of the meeting. If arriving late, please fill out a card upon arrival.
- Speakers are limited to three minutes each.
- Each person may only speak once on a topic. If there are more speakers than time allows, remaining speakers may be heard at a public comment period at the end of the meeting.
- Individuals may address the Board of Education concerning school business not on the agenda, but public comment cannot be acted upon or discussed by the Board unless placed on an agenda at a subsequent meeting, in accordance with the law (Brown Act).
- The Board may request staff to respond orally at the meeting or in writing at a future time.

Placing Items on the Agenda

- Members of the public may request that items be placed on the agenda of a future regular Board meeting.
- The items must be directly related to school district business.
- The request must be made in writing and be submitted to the Superintendent with supporting documents, if any.
- The Superintendent shall be the sole judge of whether the request is or is not within the subject matter jurisdiction of the Board and will determine whether the agenda item request is appropriate for discussion in an open session or closed session.
- All items placed on the agenda by the public will be for information and discussion so that the Board may be advised of the views of the community.

Meeting Ending Time

- Adjournment time will be no later than 10:00 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.

Record Keeping

- For accuracy, all regular meetings of the Board of Education are tape recorded. Tape recordings are kept on file for a period of no less than thirty days.

Closed Session

- The Board of Education may meet in closed session for discussion of labor negotiations, student discipline, personnel matters, litigation, and other matters as provided for under California State law.



Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request accommodations at least 48 hours in advance of the meeting by contracting the Superintendent's Office at (510) 818-4112.



Newark Unified School District
5715 Musick Avenue
Newark CA 94560

Regular Meeting of the Board of Education
June 17, 2014

REVISEDREVISED*** REVISED*** A G E N D A ***REVISED***REVISED*** REVISED***

- I. Call to Order 6:00 p.m.
- II. Roll Call
- III. **Public Comment on Closed Session Items** - *The public may address the Board concerning items that are scheduled for discussion closed session only by completing the speaker card provided on the table at the entrance to this room and submitting the card to the Executive Assistant prior to the Board adjourning to closed session.*
- IV. Recess to Closed Session 6:00 p.m.
 - A. **Public Employee Discipline/Dismissal/Release (GC 54957)**
 - B. **Public Employee Appointment / Employment (GC 54957)**
 - C. **Conference with Labor Negotiator:** The Board will meet with the District's negotiator regarding negotiations with employee organizations (CSEA & NTA) (GC 54957.6) and unrepresented employees/group: Superintendent of Schools; Chief Business Official; Senior Director of Educational Services, Assistant Superintendent of Human Resources
 - D. **Potential Litigation:** (GC 54956.9)
- V. Reconvene to Public Session 7:00 p.m.

Note: Individuals who have completed a speaker card will have an opportunity to speak on agenda items after a report/presentation is made, and prior to Board comments, discussion and/or action.
- VI. Report of Closed Session Actions
- VII. Pledge of Allegiance
- VIII. Approval of "Revised" Agenda
Motion _____ Second _____ Vote _____
- IX. Reconvene to Public Session
- X. Announcements and Upcoming Events – Superintendent Dave Marken

XI. Staff Reports

A. 2014/2015 Final Budget Adoption

[Exhibit](#)

Elaine Neilsen, Chief Business Official

B. Courses of Study / New Text

Krista Taylor, Assistant Principal of Newark Memorial High School

- ROP Law Enforcement/Homeland Security
- Language of Composition
- The Practice of Statistics
- The American Democracy
- Gardner's Art Through the Ages

XII. Public Hearings

A. Proposed 2014-2015 Budget

[Summary](#)

Resolution No. 1949 – 2014/2015 Final Budget Adoption

Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Staff recommends the Board adopt the 2014/2015 budgets for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Deferred Maintenance Fund; Special Reserve for Other Than Capital Outlay Fund; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Post Employment Benefits Self Insurance Fund; and Property and Liability Self Insurance Fund. Staff recommends the Board adopt the Final Budget for the 2014/2015 fiscal year and certify that the District has met the Standards and Criteria.

XIII. Public Comment on Non-Agenda Items

(No later than 8:30 p.m.)

Individuals may address the Board of Education concerning school business not on the agenda.

XIV. Consent Agenda

Items listed under Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.

It is recommended that the following be approved, adopted or ratified:

A. Personnel Items:

(MOTION)

A1. Personnel Report: that includes employments, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

A2. Employment Contract with Chief Business Official

The Board will approve the employment contract for the Chief Business Official for Newark Unified School District effective July 1, 2014 through June 30, 2016.

A3. Employment Contract with Assistant Superintendent of Human Resources

The Board will approve the employment contract for the Assistant Superintendent of Human Resources for Newark Unified School District effective July 1, 2014 through June 30, 2016.

A4. Employment Contract with Senior Director of Educational Services

The Board will approve the employment contract for the Senior Director of Educational Services for Newark Unified School District effective July 1, 2014 through June 30, 2016.

Motion _____ Second _____ Vote _____

B. Non-Personnel Items

(MOTION)

B1. Minutes: May 28, 2014

[Exhibit](#)

B2. Minutes: June 3, 2014

[Exhibit](#)

B3. Minutes: June 5, 2014

[Exhibit](#)

B4. Warrant Register for May 2014

The purpose of this item is to present warrants made from District funds for May 2014. The warrant registers represent a complete listing of all payments made from District funds for the month of May 2014. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits, first by the District's fiscal services department, and second by the County Office of Education.

[Summary](#)
[Detail](#)
[Register](#)

B5. Agreement for Professional Services with Lozano Smith

A service agreement for the legal firm of Lozano Smith to represent, advise and counsel the board and staff is presented to the board for approval. Staff recommends approval.

[Summary](#)
[Exhibit](#)

B6. Agreement for Professional Services with Dannis, Woliver and Kelley (DWK)

[Summary](#)
[Exhibit](#)

A service agreement for the legal firm of Dannis, Woliver and Kelley (DWK) to represent, advise and counsel staff is presented to the board for approval. Staff recommends approval.

B7. Agreement for Professional Services with Dora Dome

A service agreement for the legal firm of Dora Dome to represent, advise and counsel staff is presented to the board for approval. Staff recommends approval.

[Summary](#)
[Exhibit](#)

B8. Approval of Lease-Leaseback Contract for Phase II, Energy Management System

This is Phase II of the two-part project. Phase I was approved by the Board on April 1, 2014. Staff recommends the Board approve authorization to award the lease-leaseback contract for the Energy Management System Project.

[Summary](#)

B9. Bright Schools Energy Audit

Staff recommends the Board approve Resolution No. 1950 demonstrating the district's commitment to implementing the Bright Schools Program's energy efficiency recommendations.

[Summary](#)
[Application](#)
[Information](#)
[1950](#)

B10. SPSA 2014-2015 for Bunker Elementary School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B11. SPSA 2014-2015 for Graham Elementary School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B12. SPSA 2014-2015 for Kennedy Elementary School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B13. SPSA 2014-2015 for Lincoln Elementary School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B14. SPSA 2014-2015 for Milani Elementary School

[Summary](#)

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Exhibit](#)

B15. SPSA 2014-2015 for Musick Elementary School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B16. SPSA 2014-2015 for Schilling Elementary School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B17. SPSA 2014-2015 for Snow Elementary School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B18. SPSA 2014-2015 for Newark Junior High School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B19. SPSA 2014-2015 for Newark Memorial High School

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Exhibit](#)

B20. SPSA 2014-2015 for MacGregor Alternative Education Schools

The new School Plans for Student Achievement are coming forward for the 2014-15 and 2015-16 school years have been aligned with the three-year district LEA plan and the new LCAP.

[Summary](#)
[Bridgepoint](#)
[Crossroads](#)

B21. Approval to Award Contracts for DSA Inspection Services

The contracts will provide inspection services that comply with the Division of the State Architect (DSA) for projects scheduled to take place summer of 2014 and falls under the Measure G Bond Program. Staff recommends Board approval of DSA Inspection Services and the corresponding agreements with Inspectacon Corporation and DSA School Inspectors, respectively.

[Summary](#)
[Exhibit1](#)
[Exhibit2](#)

B22. Resolution No. 1952, 2014-15 Temporary Transfer of Funds

[Summary](#)

[Exhibit](#)

Education Code Section 42603 permits the authorization of the Superintendent or designee to temporarily transfer cash into or out of funds for payment of obligations. The transfer shall be accounted for as temporary borrowing between funds and shall not be available for appropriation or be considered income to the borrowing fund. Staff recommends the Board approve Resolution No. 1952.

B23. Resolution No. 1953, Authorized Agents to Sign Payroll Warrants and Disbursements

[Summary](#)

[Exhibit](#)

Staff recommends Board adoption of Resolution No. 1953, Authorized Agents to Sign Payroll Warrants and Disbursements.

B24. Resolution No. 1954, Authorized Agents to Sign Official Documents and Reports

[Summary](#)

[Exhibit](#)

Staff recommends Board adoption of Resolution No. 1954, Authorized Agents to Sign Official Documents and Reports.

B25. Approval to Award Contracts for Hazmat Consulting and Support Service

[Summary](#)

[Exhibit1](#)

[Exhibit2](#)

[Exhibit3](#)

Staff recommends Board approval of hazmat inspection, sampling and monitoring services and the corresponding agreements with Sensible Environmental Solutions, Inc. These services comply with Local, State and Federal laws for projects scheduled to take place summer of 2014.

B26. Rejection of Claim per Keenan and Associates

[Summary](#)

Approval of Keenan and Associates recommendation to formally reject Claim No. 494523.

Motion _____ Second _____ Vote _____

XV. Board member Comments on Consent Calendar Items

XVI. Employee Organizations

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation following the Consent Agenda. Items are limited to those that are informational.

XVII. New Business

A. LCAP Approval

(DISCUSSION / ACTION)

Newark Unified School District is presenting the Local Control Accountability Plan (LCAP) for approval by the Board. The LCAP is an important component of the new funding for education under LCFF (Local Control Funding Formula). Under the LCFF, all LEAs are required to prepare an LCAP, which describes how they intend to meet annual goals for all pupils, with specific activities to address state and local priorities identified pursuant to EC Section 52060(d). The governing board of each LEA must adopt an LCAP on or before July 1, 2014. Education Code sections 52060 and 52066 specify that the LCAP must include a description of annual goals to be achieved. Goals must address each of the state priorities; one goal may address multiple priorities. The intention of the LCAP is that these annual benchmarks will assist districts and the community to monitor the progress of the plan.

[Exhibit](#)

Motion _____ Second _____ Vote _____

B. Resolution No. 1949 – 2014/2015 Final Budget Adoption

(DISCUSSION / ACTION)

Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Staff recommends the Board adopt the 2014/2015 budgets for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Deferred Maintenance Fund; Special Reserve for Other Than Capital Outlay Fund; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Post-Employment Benefits Self Insurance Fund; and Property and Liability Self Insurance Fund. Staff recommends the Board adopt the Final Budget for the 2014/2015 fiscal year and certify that the District has met the Standards and Criteria.

[Summary](#)

[Exhibit](#)

[Exhibit](#)

Motion _____ Second _____ Vote _____

C. Position and Budget Manager Job Description

(INFORMATION / ACTION)

Under direction of the Director of Fiscal Services, the Position and Budget Manager will perform a variety of complex technical and specialized functions in support of the District's budget preparation and maintenance, specifically as it pertains to position control, including position classification, document tracking and payroll processing. Staff recommends the Board approve the Position and Budget Manager job description.

[Summary](#)

[Exhibit](#)

Motion _____ Second _____ Vote _____

D. New Course of Study; ROP Law Enforcement/Homeland Security

(INFORMATION / ACTION)

The course is in place and has been offered to Newark students through

[Summary](#)

[Exhibit](#)

ROP. We would like to offer the course at Newark Memorial, as there are many interested students. This is an elective course and all texts, materials, and salary will be paid by ROP.

Motion _____ **Second** _____ **Vote** _____

- E. Proposed new text “The Language of Composition, 2nd Ed”, and revision of course of study for AP English and Language Composition**
(INFORMATION / ACTION)

[Summary](#)
[Exhibit](#)

The new text is being proposed to meet the needs of the College Board objectives for this course. Having a core text that is designed to support AP English Language curriculum will provide students with a comprehensive and more fully rounded view of college Board expectations and the required skills necessary to be successful in a college level course. This proposal has the support of Administration and Curriculum Council.

The text is on display for review at the District Office.

Motion _____ **Second** _____ **Vote** _____

- F. Proposed new text “The Practice of Statistics, 5th Edition”, and revision of the course of study for AP Statistics**
(DISCUSSION / ACTION)

[Summary](#)
[Exhibit](#)

The addition of the proposed textbook to the AP Statistics course of study will make the course accessible to a broader range of students. The recommendation has the support of the Administration and the Curriculum Council.

A copy of the text is available for review at the district office.

Motion _____ **Second** _____ **Vote** _____

- G. Proposed new text, “The American Democracy”, and revision of the course of study for AP Government**
(DISCUSSION / ACTION)

[Summary](#)
[Exhibit](#)

The addition of the proposed textbook to the AP Government course of study will align the course with current AP curriculum. The proposed text is thorough, covers what is needed, and is the premier AP text. The text is not politically biased, it is accessible and there is an online component. The recommendation has the support of the Administration and the Curriculum Council.

Motion _____ **Second** _____ **Vote** _____

- H. Proposed new text “Gardner’s Art Through the Ages, 12th Ed”, and revision of course of study for AP Art History**
(DISCUSSION / ACTION)

[Summary](#)
[Exhibit](#)

Proposed new text “Gardner’s Art Through the Ages, 12th Ed”, and revision

of course of study for AP Art History

The addition of the text and revisions to the course of study are designed to better address the demands of the AP exam as well as to better align the course with A-G requirements for admission into the CSU and UC system. The recommendation has the support of the Administration and Curriculum Council.

A copy of the text is available for review at the district office.

Motion _____ **Second** _____ **Vote** _____

I. Agreement Between Newark Unified School District and the City of Newark for Use and Maintenance of the MacGregor Fields
(INFORMATION)

[Summary](#)
[Exhibit](#)

The agreement between Newark Unified School District and the City of Newark for use and maintenance of the MacGregor fields has expired. Staff is seeking direction from the Board of Education on how they would like to proceed.

Motion _____ **Second** _____ **Vote** _____

J. Summary of Donations
(DISCUSSION / ACTION)

[Summary](#)
[Report](#)

In an effort to build relationships with the community and business partners, it's recommended that the Board of Education formally acknowledge and accept donations as detailed in the Summary of Donations.

Motion _____ **Second** _____ **Vote** _____

K. Director of Special Projects, LCFF, Federal Programs and Accountability Job Description
(DISCUSSION / ACTION)

[Summary](#)
[Exhibit](#)

The attached job description and range classification have been collaboratively developed to reflect the scope, responsibility, and time involved in meeting all requirements. Staff recommends the approval of the Director of Special Projects, LCFF, Federal Programs and Accountability job description

Motion _____ **Second** _____ **Vote** _____

L. Board Policy 0410- Nondiscrimination in District Programs and Activities
(DISCUSSION / ACTION)

[BP](#)

This Board Policy is presented to the Board of Education for approval. This information is mandated and the language contained within the document

has received sanction from the California School Board Association and their legal counsel. Staff recommends approval.

Motion _____ Second _____ Vote _____

M. Board Policy and Administrative Regulation 5145.3 – Nondiscrimination /Harassment

[BP](#)

[AR](#)

(DISCUSSION / ACTION)

This Board Policy and Administrative Regulation are presented to the Board of Education for approval. This information is mandated and the language contained within the document has received sanction from the California School Board Association and their legal counsel. Staff recommends approval.

Motion _____ Second _____ Vote _____

N. Board Policy and Exhibit 5145.6 – Parental Notifications

[BP](#)

[E](#)

(DISCUSSION / ACTION)

This Board Policy and Exhibit are presented to the Board of Education for approval. This information is mandated and the language contained within the document has received sanction from the California School Board Association and their legal counsel. Staff recommends approval.

Motion _____ Second _____ Vote _____

XVIII Board of Education – Committee Reports, Announcements, Requests, Debrief and Discussion

- Mission Valley ROP
- Mission Valley SELPA
- Second Chance
- Alameda County School Boards Association
- BTSA – EBBIC Advisory Council

XIX. Adjournment

(MOTION)

No items of business will be considered after **10:00 p.m.**, unless it is determined by a majority of the Board to extend to a specific time. The meeting shall be extended no more than once.